

REMARKS

Prior to entry of this Amendment, claims 1-11, 13 and 15 are pending. By this Amendment, claims 7-11, 13 and 15 are canceled, claims 1, 2 and 4 are amended and new claims 16-23 are added.

Claims 1, 2 and 4 are amended herein to more closely conform to customary U.S. practice and, in the case of claim 1, to make minor corrections and improve readability. No new matter has been added and no narrowing amendments are intended.

New claims 16-23 have been added. Support for new claims 16-23 can be found throughout the application as filed. Therefore, no new matter has been added.

**Claim Rejections – 35 U.S.C. § 101**

Claims 7-11 and 13 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 7-11 and 13 have been canceled without prejudice.

**Claim Rejections – 35 U.S.C. §§ 102 & 103**

Claims 1 and 3-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Day, Rosenberg and Sugano in “A Model for Presence and Instant Messaging” (hereinafter “Day”). Claims 2, 6-11, 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Day. Claims 7-15 have been canceled without prejudice. The rejections are respectfully traversed.

Amended claim 1 includes the following: “activating, by the at least one telecommunications terminal, a user profile and an availability mode previously stored in the

database.” The Office Action concedes that there is no detail in Day about “activating” (Office Action, page 4, lines 2-4), and there is no mention in Day of a database. As illustrated in Fig. 3a of Day, the Presence Service begins with a state of P1. In Fig. 3b, the Presentity changes its state to P2, which is communicated to the Presence Service. In Fig. 3c, the Presence Service has retained only the P2 state, which it also communicates to the Subscriber. There is no teaching or suggestion in Day that the previous P1 state is retained, or that P2 was previously stored in a database as in claim 1.

Day also does not teach or suggest “specifying, by each of the telecommunications services, at least one event of which the telecommunications service is to be notified by the service mediation server or which *the telecommunications service is capable of transmitting to the service mediation server*,” as recited in amended claim 1 (emphasis added). Day teaches only the Watcher or Subscriber function, which the Office Action improperly equates to the telecommunications service. There is no teaching or suggestion in Day that the Watcher or Subscriber is a telecommunications service or that the Watcher or Subscriber specifies events which it is capable of transmitting to the service mediation server, as recited in amended claim 1.

Therefore, claim 1 is allowable. Claims 2-6 ultimately depend from claim 1 and are therefore also allowable. The rejections of claims 2-6 are respectfully traversed though not expressly argued herein in view of the allowability of the underlying base claim.

Although newly added and therefore not treated in the Office Action, new claims 16-23 are also believed to be allowable at least for reasons similar to those set forth above with respect to claim 1. For example, claim 16 includes “at least one database comprising user data, wherein the user data includes at least one previously specified user profile.” Claim 16 also includes a

“service management module adapted to receive an event entry defining at least one of an event of which the at least one telecommunications service is to be notified or an event to be transmitted by the at least one telecommunications service.” These features are neither taught nor suggested by Day.

### **Conclusion**

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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